

CITY OF SILVERTON
RESOLUTION
16-06

A RESOLUTION OF THE SILVERTON CITY COUNCIL INCREASING THE STREET MAINTENANCE FEE AND ESTABLISHING AN ADJUSTMENT FOR 2017; ADJUSTING THE STORMWATER AND PARK FEES FOR 2016; AND REPEALING RESOLUTIONS NO. 15-10, 13-17, AND 13-18

WHEREAS, the Silverton City Council (Council) has authority pursuant to the City Charter and Silverton Municipal Code (SMC), Title 13, Utilities; Chapter 13.100, Street Maintenance Fee, to establish fees and other charges needed to pay costs associated with planning, management, construction, preservation, maintenance and where necessary, alteration of, City owned or controlled streets (Street Maintenance) as a way to supplement other sources of revenue for those purposes; and

WHEREAS, Council believes it necessary and appropriate to increase the Street Maintenance Fee to \$6.00 effective July 1, 2016; and

WHEREAS, Council believes it necessary and appropriate to adjust the monthly Street Maintenance fee of \$6.00 once annually according to the CPI-U Portland-Salem annual average for 2016, effective July 1, 2016; and

WHEREAS, the Council has authority pursuant to the City Charter and SMC Chapter 13.200 to establish fees and other charges needed to pay costs associated with planning, management, construction, preservation, maintenance and where necessary, alteration of the City's Stormwater System; and

WHEREAS, Council believes it necessary and appropriate to adjust the monthly Stormwater System fee of \$3.00 once annually according to the CPI-U Portland-Salem annual average for 2015, effective July 1, 2016; and

WHEREAS, the Council has authority pursuant to the City Charter and SMC Chapter 12.48.010 to establish fees and other charges needed to pay costs associated with construction, operations and maintenance of city and marine parks; and

WHEREAS, Council believes it necessary and appropriate to adjust the monthly Parks fee of \$1.50 once annually according to the CPI-U Portland-Salem annual average for 2015, effective July 1, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SILVERTON, AS FOLLOWS:

Street Maintenance Fee

Section 1: Effective July 1, 2016, the monthly Street Maintenance Fee (SMF) shall be \$6.00.

Section 2: Effective July 1, 2016, the SMF will adjust every July 1 according to the CPI-U Portland-Salem annual average for the prior calendar year. For example, effective July 1, 2017, the SMF will be adjusted by the CPI-U Portland/Salem annual average for calendar year 2016. The Responsible party for each Billing Unit on Developed Property shall be billed and is responsible for payment of this SMF.

Section 3: As used in this resolution, "Billing Unit," "City," "City Utility Service," "Developed Property," "improved," "Nonresidential Property," "Residential Property," and "Responsible Party" and shall have the meanings set out in SMC 13.100.020.

Section 4: The SMF shall be billed as follows:

- (a) Single family residential Developed Property and single occupant Nonresidential Developed Property shall each be treated as one (1) Billing Unit.
- (b) Multi-family Residential Property, including but not limited to duplexes, apartment buildings, and manufactured home parks, shall be calculated by assuming that each separate Dwelling Unit containing a kitchen and a bathroom shall be counted and billed as one Billing Unit. For example, the monthly fee for a 20 unit apartment complex would be 20 times the monthly fee.
- (c) For multi-tenant commercial or industrial properties, each tenant having a distinct and separate business shall be treated and charged as one (1) Billing Unit. For example, the monthly fee for a retail shopping center with 10 distinct businesses would be 10 times the monthly fee.
- (d) A motel, hotel or resort shall be calculated by assuming each room is part of the same Nonresidential Developed Property and shall be billed as one Billing Unit.
- (e) Institutional uses such as churches, schools and hospitals shall be billed as one Billing Unit for each campus provided each structure on the any particular campus is being used for institutional purposes and not leased or rented to any third party. Structures leased or rented to any third party will be billed as a separate Billing Unit to the Responsible Party.

Section 5: The SMF shall be used for maintenance of pavement on City owned or controlled streets and infrastructure improvements and to include road signs.

Section 6: Any account with an unpaid SMF sent to a collection agency may be assessed an additional fee of \$25.

Section 7: The City Manager may establish additional protocols/procedures for collection of the SMF and may use any method he deems reasonable and appropriate therefor. Any procedure / protocol established under this section shall be reviewed and approved by the Council before implementation.

Section 8: This resolution shall repeal Resolution No. 13-18 effective June 30, 2016.

Stormwater System Fee

Section 9: Increase the Stormwater System Fee by \$1.00 effective July 1, 2016.

Section 10: Effective July 1, 2016, the monthly Stormwater System Fee (SSF) of \$4.00 is adjusted every July 1 by the CPI-U Portland-Salem annual average for the prior calendar year for each Equivalent Dwelling Unit (EDU) as that term is defined in SMC Chapter 13.200. For example, effective July 1, 2016, the SSF will be adjusted by the CPI-U Portland/Salem annual average for calendar year 2015. Responsible Parties of Developed Property used for multifamily residential, institutional, commercial or industrial uses shall be billed and are responsible for a monthly SSF equal to the amount of Impervious Surface on the Developed Property under their ownership, occupancy or control divided by (/) one (1) EDU.

Section 11: Any account with an unpaid SSF sent to a collection agency may be assessed an additional fee of \$25 by the City.

Section 12: This resolution shall repeal Resolutions No. 15.10 effective June 30, 2016.

Park Fee

Section 13: Effective July 1, 2016, the monthly Park Fee of \$1.50 shall be adjusted every July 1 by the CPI-U Portland-Salem annual average for the prior calendar year. For example, effective July 1, 2016, the Park Fee will be adjusted by the CPI-U Portland/Salem annual average for calendar year 2015. The Responsible Party for each Billing Unit on Developed Property shall be billed and is responsible for payment of this Park Fee.

Section 14: Definitions. As used in this resolution, "Billing Unit," "City Utility Service," "Developed Property," "Improved," "Nonresidential Property," "Residential Property," and "Responsible Party" shall have the meanings set out in SMC 12.48.010.

Section 15: The Park Fee shall be billed as follows:

(a) The bill for single family Residential Developed Property and single occupant Nonresidential Developed Property shall be treated as single Billing Units for purposes of calculating this fee.

(b) The bill for a multifamily Residential Property, including but not limited to duplexes, apartment buildings, and manufactured home

parks, shall be calculated by assuming that each separate dwelling unit containing a kitchen and a bathroom is a separate Developed Property and each dwelling unit shall be counted as one billing unit. The monthly bill for a 20 unit apartment complex would be 20 times the monthly fee.

- (c) For multi-tenant commercial or industrial properties, each tenant constituting a distinct and separate business shall be treated as a separate Billing Unit. The monthly bill for a retail shopping center with 10 distinct businesses would be 10 times the monthly fee.
- (d) A motel, hotel or resort shall be calculated by assuming each room is part of the same Nonresidential Developed Property and shall be billed as one Billing Unit.
- (e) Institutional uses such as churches, schools and hospitals shall be billed as one Billing Unit for each campus provided that each structure on the any particular campus is being used for institutional purposes and not leased or rented to any third party. Structures leased or rented to any third party will be billed as a separate Billing Unit to the Responsible Party.

Section 16: The City's Finance Director, under the direction of the City Manager, shall be responsible for the calculation of the utility bill and collection of this Park Fee.

Section 17: Any account with an unpaid Park Fee sent to a collection agency may be assessed an additional fee of \$25 by the City.

Section 18: The City Manager may establish additional protocols/procedures for collection of the Park Fee and may use any method he deems reasonable and appropriate therefor. Any procedure/protocol established under this section shall be reviewed and approved by the Council before implementation.

Section 19: This resolution shall repeal Resolution No. 13-17 effective June 30, 2016.

Section 20: All fees and charges establishes herein shall go into effect as set out in this resolution.

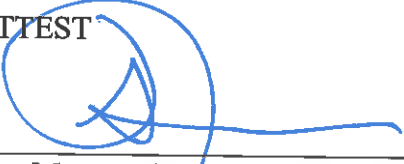
Section 21: That this resolution is and shall be effective immediately after its passage by the City Council.

Resolution adopted by the City Council of the City of Silverton, this 1st day of February, 2016.



Mayor, City of Silverton
Rick Lewis

ATTEST



City Manager/Recorder, City of Silverton
Bob Willoughby

Repealed By Resolution Nos. 19-06, 19-07, 19-08